

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MAXIMILLIAN LEE
SCHWEITZER,

Defendant.

No. CR 3-05-70758 JCS

~~PROPOSED~~ STIPULATED ORDER
RE: PSYCHIATRIC OR
PSYCHOLOGIC EXAMINATION

Hearing Date: September 16, 2005

The defendant in the above-entitled case appeared before the Court on September 16, 2005. The Court granted the government's motion for a detention hearing, and at the request of the parties set the detention hearing on before Judge Larson on October 7, 2005.

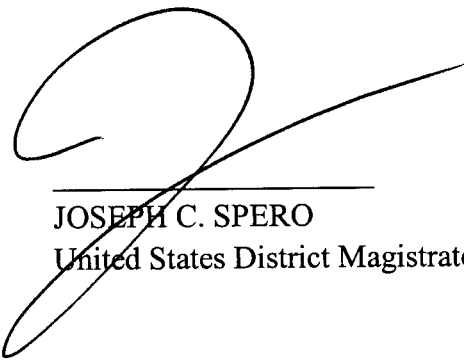
The parties also jointly requested that the defendant be interviewed by a psychologist or psychiatrist. The Court refers the matter to Pretrial Services, to arrange an interview in accordance with the following provisions:

1. The mental health professional shall be selected from the list of Pretrial Services providers, and shall be agreed upon by the defense and government;
2. AFDK Kalar shall be permitted to accompany the mental health professional to the interview. Defense counsel is cautioned, however, to intervene in the interview as little as possible. The mental health professional shall report any intervention by defense counsel in the interview.

- 1 3. The mental health professional shall interview the defendant at his place of incarceration. The
2 custodial facility is ordered to permit the mental health professional and Mr. Kalar in to
3 participate in a contact interview.
- 4 4. The mental health professional shall submit a report to Pretrial Services, and shall do so – if
5 possible – during the week of October 3, 2005. This report shall address three questions:
- 6 a. Whether the defendant presents a danger to the community;
7 b. Whether the defendant presents a danger to himself;
8 c. Whether any potential danger can be realistically managed by conditions of release,
9 such as treatment or medication.
- 10 5. Pretrial Services is directed to immediately distribute this report upon receipt to the Honorable
11 James Larson, to the United States Attorney's Office, and to AFPD Steven Kalar. This report
12 shall remain confidential, and shall not be disclosed to the Office of Probation.

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14 IT IS SO ORDERED.

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18 9/19/05
19 DATED

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JOSEPH C. SPERO
United States District Magistrate Judge